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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,102	02/21/2002	Jeffrey Sherwood	47507/270534	7379

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EXAMINER

TRAN, HENRY N

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,102

Applicant(s)

SHERWOOD, JEFFREY

Examiner

HENRY N TRAN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Application has been examined. The original claims 1-15 are pending. The examination results are as following.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claim 9 is rejected under 35 U.S.C. 102(e) as being anticipated by Suzuki (U.S. Patent No. 6,344,836).

Suzuki teaches a system for altering the appearance of an interior space, comprising: a plurality of plasma display screens 20, 30 spaced apart from one another around the interior space 60 (a house 60, or a office room 70, or an electronic aquarium 80); a plurality of auxiliary

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speakers or primary speakers 23 or 33; a central processing unit 10, which comprises storage devices 13 and 16 for storing images and audio data that replicate the sounds associated with a plurality scenes such as landscapes, aquarium, virtual scene, etc. displayed on the screens; see figures 1 and 5-7; col. 5, lines 1-65; and col. 7, line 40 to col. 10, line 18. Claim 9 is therefore rejected.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8, 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (U.S. Patent No. 6,344,836) in view of Manne (U.S. Patent No. 5,949,522).

Suzuki teaches a multimedia information system for altering the appearance of an interior space as noted above. Suzuki also teaches the use of a camera 37 and a digital controller 15 for capturing video images and for displaying video images of environmental scenes, and playing audio of video images; the screens 30 separately mounted on a wall surface from one another at constant intervals; and a plurality of movable theatrical props such as sofa, refrigerator 63, etc. arranged within the interior space; see references recited in section 6 above. However, Suzuki does not teach the use of a scent generator placed within the interior space for dispensing a scent, which is associated with at least one of the displayed video images, in response to receiving a signal from the central processing unit for altering the appearance of the interior space; the

displayed screens positioned for providing 270 degrees of coverage, or the screens are separated from one another about 8 feet. Manne teaches a multimedia information system linked to a scent delivery system, comprising: a scent generator 48 (a fragrance holder) for dispensing a scent, which is associated with a displayed image, in response to receiving a signal from the processing unit 34 integrated with the computer 37 and the display 39; see figures 1; col. 2, lines 38-44; and col. 4, line 66 to col. 5, line 67. It would have been obvious to one of ordinary skill in the art at the time the invention was made to position the displayed screens for providing 270 degrees of viewing coverage, and to utilize the scent generator associated with the computer and the display as taught by Manne in the Suzuki multimedia information system because this would provide an "olfactory virtual reality" system capable of simulating the aromatic sensory effect of a scene display on a plurality of display screens for altering the appearance of an interior space for effectively attracting and interfacing with inspectors or viewers; see Manne, col. 2, lines 44-47. By this rational, claims 1-8 and 10-15 are rejected.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They are U.S. Patent and Publication Nos. 6076638, 6654664, 2003/0223040 A1, and 6254527 for teachings of display systems integrated with scent generators.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY N. TRAN whose telephone number is 703-308-8410.

The examiner can normally be reached on Mon – Fri from 8:00AM – 4:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHARD A. HJERPE, can be reached at 703-305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

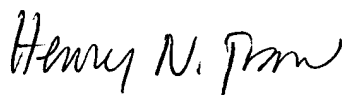
Washington, D.C. 20231

or fax to:

703-872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.



HENRY N. TRAN
Examiner
Art Unit 2674

Hnt
March 8, 2004